

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

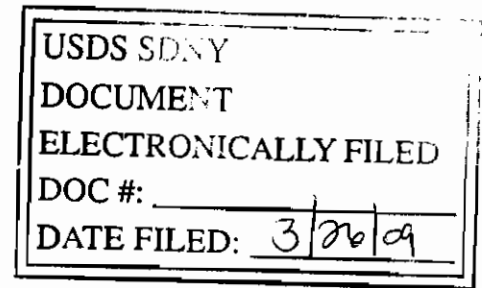
ANDREW PINCKNEY,

Plaintiff,

-against-

HERTS et al.,

Defendants.



07 Civ. 11310 (CM)(MHD)

ORDER

McMahon, J.:

I have received the attached letter (with attachments) from plaintiff. There is no indication that it was served on counsel for defendants.

Plaintiff's letter shall be treated as a motion for leave to add another party defendant, an Officer Calderon. Plaintiff indicates that he learned of this officer's identity and involvement in the incident that underlies this action as a result of receiving discovery from defendants.

I refer this motion to Judge Dolinger, who is conducting all pretrial supervision, since it falls within the scope of the Order of Reference. I do not know where the parties are in discovery or whether there is some reason why it would not be appropriate to add this officer defendant. Nor do I know what Officer Calderon allegedly did that caused plaintiff injury. I see from the docket sheet that Judge Dolinger is up to date on discovery in this case. He should make this call.

I direct defendants to respond to plaintiff's letter within seven business days from today. Please direct your response to Judge Dolinger.

Dated: March 25, 2009

U.S.D.J.

BY FAX TO THE CORPORATION COUNSEL AND JUDGE DOLINGER
BY FIRST CLASS MAIL TO PLAINTIFF

Copies mailed/faxed/handed to counsel on 3/26/09